THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.16239 of 1997

DATED : 28.06.2007

Between:

K.S.Chetty, S/o. K.Changaiah Chetty and others.

..... PETITIONERS

AND:

Government of A.P., rep., by it's Chief Secretary ,
Secretariat Buildings, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.16239 of 1997

ORDER:

Petitioners claim to have purchased various extents of land in Sy.No.129/95 situated at Shaikpet village, Golconda Mandal, Hyderabad District. Through their general power of attorney holder, they have submitted an application to the second respondent for grant of no-objection certificate. However, by a Memo dated 12.02.1997, the second respondent informed that the request of the petitioners could not be considered as no land with Sy.No.129/95 exists at Shaikpet village and that the land bearing Sy.No.129/95 belongs to the Government. Hence, this writ petition.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

On a perusal of the impugned memo, this Court is of the view that the dispute is with regard to the ownership of the land bearing Sy.No.129/95, which cannot be decided in a writ petition under Article 226 of the Constitution of India. The appropriate remedy for the petitioners is to approach the competent civil court.

The writ petition is misconceived, and is accordingly dismissed, granting liberty to the petitioners to approach competent civil Court. There shall be no order as to costs.

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28.09.2007

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